

REMARKS

In the Office Action, the Examiner rejects claim 4 under 35 U.S.C. 112, second paragraph, as being indefinite. Further, claims 1, 2 and 4 were rejected under 35 U.S.C. 103(a) as being unpatentable over Larson et al., in U.S. Patent No. 6,092,768, and Feczko, in U.S. Patent No. 3,606,438.

The claimed invention features a transportable structure attached to a pipe frame which supports an engine-driven work machine. The transportable structure has a sling fitting, which is provided above the pipe frame and hinged thereto for rotation of the sling fitting and to be held firmly in place on the pipe frame.

The sling fitting has approximately C-shaped sections provided adjacent both ends of the sling fitting. The C-shaped sections are hinge sections for rotationally supporting the sling fitting on the pipe frame.

In contrast, Larson et al. and Feczko do not disclose a sling fitting as claimed.

(a) Larson et al. teaches an upper support beam 60, which is fixed to first and second end members 20, 24. The support beam 60 has two apertures 61, 62. There is no teaching of a stopper which engages with a sling fitting as in the claimed invention, and stops the movement of the sling fitting because the upper support beam 60 does not rotate.

(b) Feczko discloses a bail 4 for lifting a scrap box 2, having a finger 20 to engage with a bail locking block 8 to keep the scrap box 2 at a stable posture. The upper crosspiece of the bail 4 does not rotate.

(c) Neither Larson et al. nor Feczko teaches a sling fitting as claimed for hinged rotation of the entire sling fitting connected at opposite ends to a pipe frame.

Compared to these references, the invention has significantly different claimed features.

In the Office Action, the Examiner points out that Larson et al. discloses a whole structure for supporting a work machine using a pipe frame, and Feczko discloses a bail which seems like a sling fitting of the claimed invention.

However, the crosspiece from which the bail 4 extends in Feczko does not rotate and does not have a stopper. The Examiner has pointed out that Feczko discloses a stopper (8), but reference 8 is a bail locking block. The elongated bail 4 in Feczko cannot be held in place after rotation because it does not rotate, but the sling fitting according to the claimed invention has two ends hinged to allow rotation and is firmly held in place on the pipe frame.

Further, the bail 4 in Feczko does not stop in a near-vertical direction because the bail 4 does not rotate, but the sling fitting of the invention is claimed to have two

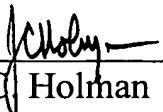
ends rotatably fixed to a pipe frame and to stop in a near-vertical direction by a stopper. Therefore, neither of the relied upon references provides a sling fitting which is rotated out of the way of a pipe frame when not in use.

Based on the foregoing amendments and remarks, it is respectfully submitted that the claims in the present application, as they now stand, patentably distinguish over the references cited and applied by the Examiner and are, therefore, in condition for allowance. A Notice of Allowance is in order, and such favorable action and reconsideration are respectfully requested.

However, if after reviewing the above amendments and remarks, the Examiner has any questions or comments, he is cordially invited to contact the undersigned attorneys.

Respectfully submitted,

JACOBSON HOLMAN, PLLC

By: 
John C. Holman
Reg. No. 22,769

400 Seventh Street, N.W.
Washington, D.C. 20004-2201
(202) 638-6666
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JLS/arc